

## REMARKS

Claims 7-77 are pending in the application. Claims 1-6 were previously canceled. Applicants have canceled claims 7-9 and claims 11-77 without prejudice or disclaimer. Claim 10 has been amended. Upon entry of this amendment, claim 10 is pending. No new matter has been added.

Amendment or cancellation of any claim herein is not to be construed as acquiescence to any of the rejections/objections set forth in the instant Office Action, and was done solely to expedite prosecution of the application. Applicants make these amendments without prejudice to pursuing the original subject matter of this application in this application or a later filed application claiming benefit of the instant application, including without prejudice to any determination of equivalents of the claimed subject matter.

As an initial matter, Applicants thank the Examiner for the courtesy of the telephonic interview on September 22, 2005. Applicants appreciate the thoughtful consideration provided by the Examiner handling the prosecution of the instant application.

### Rejection under 35 U.S.C. 103

Claim 10 is rejected based on the allegation that particular phenethyl guanidine compounds are unpatentable over compounds provided by Mulyuga et al. (Chem. Abst. 74:136938 and Chem. Abst. 67: 100033). Applicants traverse.

During the course of the interview with Examiner O'Sullivan, it was indicated to the undersigned that claim 10, as presently amended, is patentable over the compounds of the cited art. More specifically, Examiner O'Sullivan agreed that N-(4-methylbenzoyl)-N'-(2-phenethyl)guanidine is not obvious in view of Mulyuga et al.

Applicants have amended claim 10 to remove the recitation of benzoyl phenethyl guandine compounds that are substituted with methoxy or chloro at certain positions on the

benzoyl moiety. The rejection is therefore moot, and reconsideration and withdrawal of the rejection is requested.

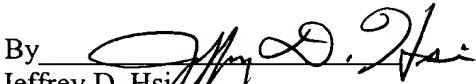
## CONCLUSION

In view of the above amendments and the remarks, claim 10 is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any of the claims not be found to be in condition for allowance, the Examiner is requested to call Applicants' undersigned representative to discuss the application. Applicants thank the Examiner in advance for this courtesy.

The undersigned requests any extension of time necessary for response. The Director is hereby authorized to charge or credit any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 47843-47578.

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Respectfully submitted,

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